

### **Remarks**

Applicants and the undersigned would like to thank the Examiner for his efforts in the examination of this application. Reconsideration is respectfully requested.

#### **I. Drawings**

The Examiner has objected to the drawings, as FIG. 8I does not appear in the drawings.

The Examiner is correct. The Specification, which only refers to FIG. 8I in the drawing description section, and not in the detailed description, has been amended to delete that reference, and thus this objection is believed to be addressed.

#### **II. Rejection of Claims 24-29 under 35 USC 112**

The Examiner has rejected Claims 24-29 under 35 USC 112, second paragraph, as being indefinite.

Independent Claim 16, from which these claims depend, has been amended to recite "moving a calibrated target" in order to address this rejection.

Therefore, Claims 24-29 are now believed free from indefiniteness.

#### **III. Rejection of Claims 30-32, 35, 36-39, 40, 43, and 44 under 35 USC 102(b)**

The Examiner has rejected Claims 30-32, 35, 36-39, 40, 43, and 44 under 35 USC 102(b) as being anticipated by Heilbrun et al. (US 5,603,318).

Independent Claim 30 has been amended to incorporate the recitations of allowable Claim 33.

Therefore, it is believed that Claims 30-32, 35, 36-39, 40, 43, and 44 are patentable over the cited art.

#### **IV. Rejection of Claims 16-23 under 35 USC 102(b)**

The Examiner has rejected Claims 16-23 under 35 USC 102(b) as being anticipated by Corby et al. (US 5,805,289).

Claim 16 has been amended to more particularly point out that which Applicants regard as their invention. In particular, the Examiner has considered Claims 24-29 allowable because “the prior art of record specifically Corby, Jr. et al. does not teach moving the calibrated target to different positions with respect to the object of the claims combined with other features and elements.”

Therefore, Claim 16 has been amended to recite the step of “moving a calibrated target into a known geometric relationship with a geometric feature of an object desired to be characterized”, which generalizes the steps recited in Claims 24-29 as believed to be considered allowable by the Examiner.

Thus it is respectfully believed that independent Claim 16, as well as Claims 17-23 dependent therefrom, patentably define over the cited art.

**V. Rejection of Claims 41 and 42 under 35 USC 103(a)**

The Examiner has rejected Claims 41 and 42 under 35 USC 103(a) as being unpatentable over Helibrun et al.

As Claims 41 and 42 depend indirectly from Claim 30, which is believed in condition for allowance, Claims 41 and 42 are also believed to patentably define over the cited art.

**VI. Allowable Subject Matter**

The Examiner has indicated Claims 33 and 34 to be allowable. As stated above, the recitations of Claim 33 have been incorporated into Claim 30; Claim 33 has been canceled. Claim 34 has been amended to depend from Claim 34.

The Examiner has also indicated Claims 24-29 to be allowable. As stated above, independent Claim 16 has been amended, and is believed to define over the cited art. Therefore, Claims 24-29 are also believed to define over the cited art in their dependent condition.


The Examiner has further indicated Claims 1-15 to be allowed, which Applicants acknowledge with appreciation.

**Conclusions**

Applicants respectfully submit that the above amendments place this application in a condition for allowance, and passage to issue is respectfully solicited. The Applicants and the undersigned would like to again thank the Examiner for his efforts in the examination of this application and for reconsideration of the claims as amended in light

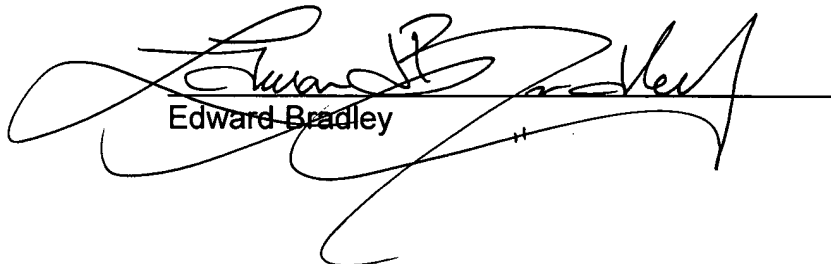
of the arguments presented. If the further prosecution of the application can be facilitated through telephone interview between the Examiner and the undersigned, the Examiner is requested to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,

  
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**CERTIFICATE OF MAILING**

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 9<sup>th</sup> day of December, 2004.

  
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Edward Bradley